## Wisconsin Wetland Compensatory Mitigation

November 18, 2005



Mitigating on-site versus off-site



#### **Definitions**

- "On-site" means a mitigation project located within one-half mile of the impacted wetland.
- "Off-site" means development of a project specific mitigation site located within the compensation search area

#### OR

Purchase of credits from a mitigation bank that is listed on the state registry of approved banks.



#### NR 350.04

"The project proponent shall conduct an evaluation of potential on-site compensation opportunities.

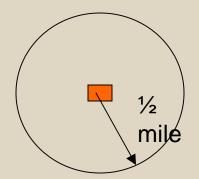
If the department determines that the project proponent has demonstrated that it is not practicable or ecologically preferable to conduct an on-site mitigation project, the department shall allow the project proponent to conduct off-site mitigation."

Look on-site first

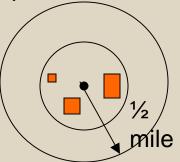


# How do you measure the ½ mile search area for on-site mitigation opportunities?

The ½ mile measurement should be from the center of the wetland impact.



If multiple wetlands are to be filled, enclose all the wetlands in a circle on the map and measure the ½ mile radius from the center point of this circle.





# Needed documentation for each mitigation route

#### **On-site Project**

- Mitigation summary sheet
- Compensation site plan
- Conservation easement package
- Financial
   Assurances

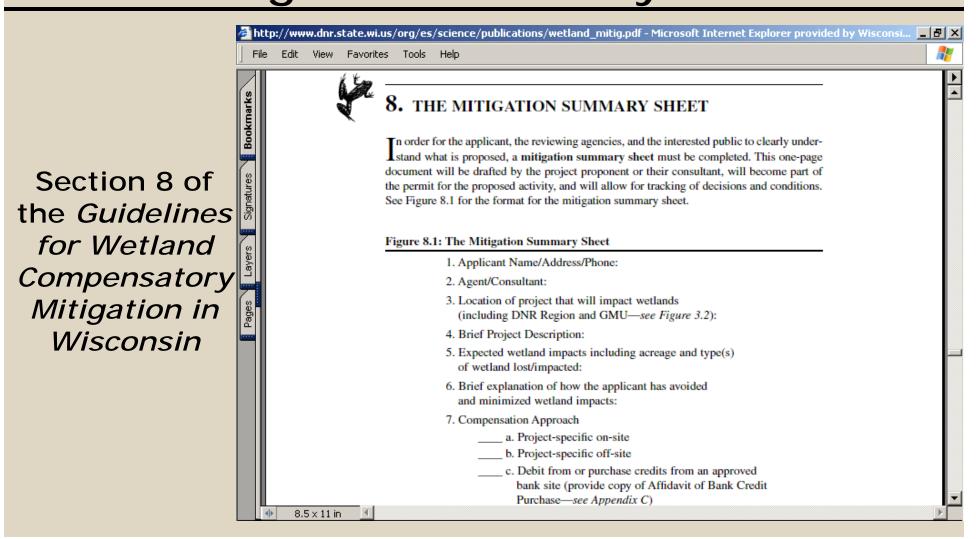
### Off-site Project

- Mitigation summary sheet
- Documentation of no on-site alternative
- Compensation site plan
- Conservation easement package
- Financial
   Assurances

#### Bank Purchase

- Mitigation summary sheet
- Documentation of no on-site alternative
- Affidavit of bank credit purchase







## Mitigation Summary Sheet

Necessary component of all mitigation proposals

#### Figure 8.1: The Mitigation Summary Sheet

- Applicant Name/Address/Phone:
- 2. Agent/Consultant:
- Location of project that will impact wetlands (including DNR Region and GMU—see Figure 3.2):
- 4. Brief Project Description:
- Expected wetland impacts including acreage and type(s) of wetland lost/impacted:
- 6. Brief explanation of how the applicant has avoided and minimized wetland impacts:
- Compensation Approach
  - \_\_\_\_ a. Project-specific on-site
  - \_\_\_\_ b. Project-specific off-site
  - \_\_\_\_ c. Debit from or purchase credits from an approved bank site (provide copy of Affidavit of Bank Credit Purchase—see Appendix C)
    - \_ d. Other (describe):



# Documentation of no practicable or ecologically preferable on-site project

- Necessary component of any proposal to develop an off-site project or purchase bank credits
- Consists of a letter explaining search efforts and rationale for findings
   AND supporting documentation of on-site conditions



# What kind of documentation of on-site conditions is needed?

- Orthophoto
- Soil map

   (highlight hydric soils)

All maps should show the site of wetland impacts and the ½ mile search area.





# What kind of documentation of on-site conditions is needed?

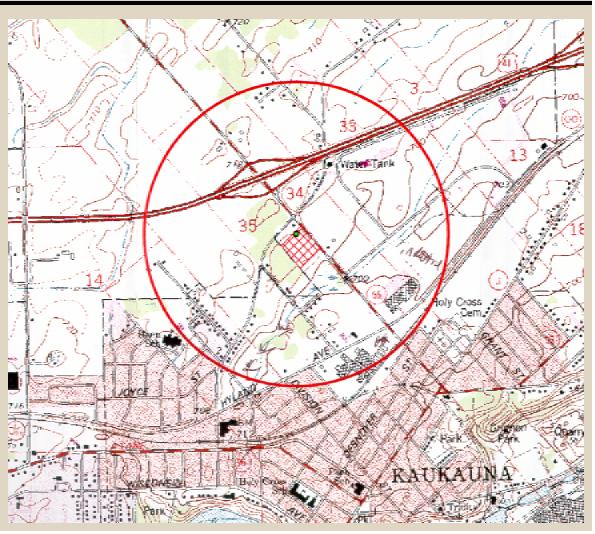


- Wisconsin wetland inventory maps
- NRCS wetland inventory maps
- Wetland delineation reports



### Other documentation that may be helpful

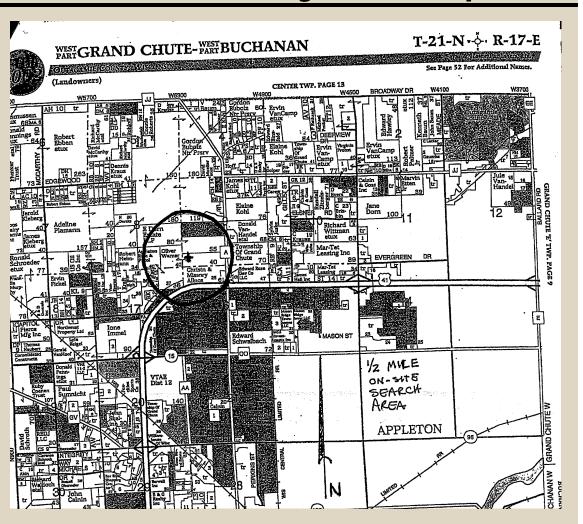
Topographic maps





### Other documentation that may be helpful

- Plat maps
- Site photographs





# Typical reasons for finding no on-site mitigation opportunities

Three general categories:

- No wetland restoration possible
- Land unavailable or the wrong acreage
- No wetland enhancement possible



### No wetland restoration possible

- No areas of farmed wetland or prior converted wetland are shown on the NRCS map
- Delineation report shows that areas with hydric soils already support wetland vegetation and hydrology
- Restoration of hydrology would damage adjacent farmed areas
- Orthophoto shows that residential or highway land uses are directly adjacent to the area and there is no opportunity for buffering a restoration



# Land unavailable or the wrong acreage

- We have contacted [Landowners] with a request to purchase land for mitigation purposes.
   [Landowners] did not express any interest in selling any portion of their land to us.
- The converted areas are too large and hydrology cannot be restored in an area small enough to provide the number of mitigation credits needed
- [Landowners] would only sell entire property, which is a large site not feasible to purchase for required compensation acreage



### No wetland enhancement possible

- Our photographs show that wetlands within the search area are already high quality
- The orthophotos show that the wetlands within the search area are reed canary grass monotypes and are downstream of larger wetland complexes also dominated by reed canary grass

Generally, any one reason does not apply for the entire search area. Typically, the search area is split into separate regions illustrated on a map. Different reasons are given for each region.



### Conclusions

- Most approved wetland compensatory mitigation applications propose to purchase bank credits, especially if wetland impacts are less that about 0.5 acres
- Entirely dependant on site conditions within the ½ mile search area

